

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-05-010

Public Hearing to Consider Proposed Onboard Diagnostic System Requirements for
2010 and Subsequent Model Year Heavy-Duty Engines (HD OBD)

WHEREAS, on July 21, 2005, the Air Resources Board (the Board or ARB) conducted a public hearing to consider adoption of proposed California OBD requirements for 2010 and subsequent model year heavy-duty engines, as set forth in the Initial Statement of Reasons released to the public on June 3, 2005;

WHEREAS, following the public hearing on July 21, 2005, the Board adopted Resolution 05-38 in which the Board approved adoption of section 1971.1, title 13, California Code of Regulations (CCR), as set forth in Attachment A thereto, and modified by Attachment B thereto,

WHEREAS, Resolution 05-38 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachment A and Attachment B to Resolution 05-38, with such other conforming modifications as may be appropriate, to make the modified regulatory language and any additional supporting documents and information available to the public for a period of at least 45 days, to consider such written comments as may be submitted during this period, and to make such modifications as may be appropriate in light of the comments received, or to present the regulatory amendments to the Board for further consideration if she determines that this is warranted;

WHEREAS, on September 9, 2005, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of 45-days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, one written comment was received during the 45-day comment period and those comments, have been considered by the Executive Officer.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 05-38 are incorporated by reference herein.

IT IS FURTHER ORDERED that 1971.1, title 13, CCR, is adopted as set forth in Attachment 1 hereto.

Executed this _____ day of December, 2005, at Sacramento, California.

/s/

Catherine Witherspoon
Executive Officer

Attachment